

MEMORANDUM

Agenda Item No. 11(A)(13)

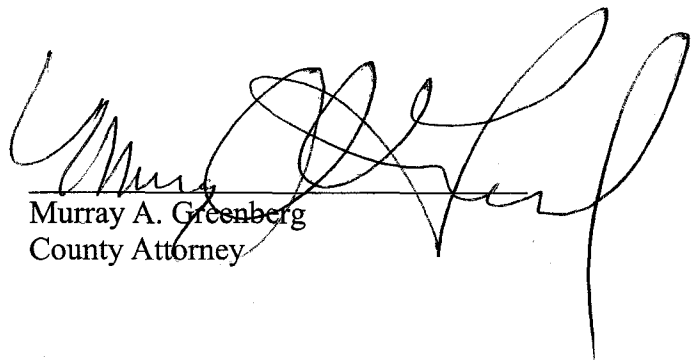
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: November 28, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution urging the U.S.
Congress and the Florida
Legislature to add crimes
against the homeless to
existing hate crimes statutes

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Dennis C. Moss, Commissioner Audrey M. Edmonson, Commissioner Carlos A. Gimenez and Commissioner Sally A. Heyman.



Murray A. Greenberg
County Attorney

MAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(13)
11-28-06

RESOLUTION NO. _____

RESOLUTION URGING THE U.S. CONGRESS AND THE
FLORIDA LEGISLATURE TO ADD CRIMES AGAINST THE
HOMELESS TO EXISTING HATE CRIMES STATUTES

WHEREAS, on the early morning of Thursday, January 12, 2006, two teenage boys were caught on surveillance video viciously attacking with a baseball bat a defenseless homeless man who was sleeping on a bench outside a Florida Atlantic University (FAU) building in downtown Fort Lauderdale; and

WHEREAS, though the homeless man survived, a few hours later the teens, along with a third accomplice not caught on tape, allegedly struck and killed another homeless man, Norris Gaynor, as he slept on a bench across from the Broward Center for the Performing Arts; and

WHEREAS, the teens, after fatally beating the second homeless man, allegedly went on to attack and critically injure a third homeless man who was sleeping at the Church-by-the-Sea on the 17th Street Causeway in Fort Lauderdale; and

WHEREAS, while the surveillance video at FAU provided a rare and shocking look at crimes against the homeless, usually hidden from view is the number of serious crimes committed against the homeless each year; and

WHEREAS, homeless men, women, and children around the nation are particularly vulnerable to crimes against them because they represent an easy, visible, susceptible target and often lack a place to retreat for safety and protection; and

WHEREAS, despite being one of the most vulnerable populations in our society, homeless people are not included in existing hate crimes statutes at either the federal or state levels, except in the State of Maine, according to the National Coalition for the Homeless; and

WHEREAS, homelessness should be added to the existing hate crimes statutes at both the federal and state levels; and

WHEREAS, bipartisan bills were filed during the 2006 state legislative session, SB 1992 by Senator J.D. Alexander (R – Lake Wales) and HB 809 by Rep. Priscilla Taylor (D – Riviera Beach), but the bills did not pass,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the U.S. Congress and the Florida Legislature to add crimes against the homeless to the existing federal and state hate crimes statutes.

Section 2. Directs the Clerk of the Board to transmit a certified copy of this resolution to the members of the Miami-Dade County Congressional Delegation and the Governor, Senate President, House Speaker and Chair and members of the Miami- Dade County State Legislative Delegation.

Section 3. Directs the County's federal and state lobbyists to advocate for the passage of the legislation set forth in Section 1 above, and directs the Office of Intergovernmental Affairs to include this item in the 2007 Federal Legislative Package and the 2007 State Legislative Package.

The foregoing resolution was sponsored by Commissioner Dennis C. Moss, Commissioner Audrey M. Edmonson, Commissioner Carlos A. Gimenez and Commissioner Sally A. Heyman and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

| | |
|-------------------------------|-------------------|
| Joe A. Martinez, Chairman | |
| Dennis C. Moss, Vice-Chairman | |
| Bruno A. Barreiro | Jose "Pepe" Diaz |
| Audrey M. Edmonson | Carlos A. Gimenez |
| Sally A. Heyman | Barbara J. Jordan |
| Dorrin D. Rolle | Natacha Seijas |
| Katy Sorenson | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairman thereupon declared the resolution duly passed and adopted this 28th day of November, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Jess M. McCarty